

4.2 DOL Strategic Goal 2—A Secure Workforce

DOL STRATEGIC GOAL 2		
A SECURE WORKFORCE		
<i>Promote the economic security of workers and families</i>		
OUTCOME GOALS:		
2.1 Increase compliance with worker protection laws		
2.1 Protect worker benefits		
2.3 Increase employment and earnings for retrained workers		
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Total Funds for This Goal (in Billions):		
Fiscal Years	Budget Authority	Outlays
FY 2004	\$ 47.9	\$ 49.1
FY 2003	\$ 63.3	\$ 61.5
FY 2002	\$ 56.4	\$ 55.3
FY 2001	\$ 30.6	\$ 29.5
FY 2000	\$ 25.1	\$ 23.7
FY 1999	\$ 26.0	\$ 25.1

DOL is committed to protecting workers' hours, wages, and other working conditions; providing unemployment compensation and other benefits when workers are unable to work; and expanding, enhancing, and protecting workers' retirement plans, health care plans, and other benefits.

Department of Labor programs and agencies with the primary operational responsibility for achieving this strategic goal include the Employee Benefits Security Administration (EBSA); the Pension Benefit Guaranty Corporation (PBGC); the Employment and Training Administration's Unemployment Compensation programs; and, the Employment Standards Administration (ESA)'s Wage and Hour Division, Office of Labor-Management Standards and Office of Workers' Compensation Programs. In addition, the Office of Small Business Programs (OSBP), the Office of the Solicitor, the Office of the Assistant Secretary for Administration and Management, the Office of Inspector General, and the Appellate Boards provide indirect support to this strategic goal.

The performance goals in this section support the Department's commitment to the protection of the American workforce in the 21st Century. The goal of promoting compliance in typically low-wage industries, for example, reflects the Department's commitment to guaranteeing an honest day's pay for an honest day's work, which is especially critical for the most economically disadvantaged American workers. The Department has also established a goal to protect the economic safety and security of American workers and their workplaces by promoting the responsible stewardship of union funds.

A key objective of the Department's role in the administration and oversight of benefit programs for unemployed workers and for those who have suffered work-related injuries and illnesses is the responsible stewardship of taxpayer dollars. Additionally, DOL's goals to improve payment timeliness and assistance to unemployed and injured workers to return to the workplace represent the practical

implementation of the Department's pledge to give hope to all individuals that they will not be left behind in the quest for the American dream.

The FY 2004 outcome and performance goals for this strategic goal follow. Detailed information on every performance goal, including indicator, data source, baseline and explanatory comments, can be found in Appendix A.

Outcome Goal 2.1—Increase Compliance with Worker Protection Laws

FY 2004 Performance Goals

Total Funds for This Outcome Goal (in Millions)

Fiscal Years	Budget Authority	Outlays
FY 2004	\$ 236	\$ 234
FY 2003	\$ 321	\$ 335
FY 2002	\$ 307	\$ 307
FY 2001	\$ 321	\$ 311
FY 2000	\$ 265	\$ 262
FY 1999	\$ 216	\$ 233

- A. FY 2004: Covered American workplaces legally, fairly, and safely employ and compensate their workers as indicated by:
1. Improving customer service by decreasing the average number of days to conclude a complaint. In FY 2004 - decrease by 3 percent.
 2. Reducing employer recidivism. In FY 2004:
 3. Increase the percent of prior violators who achieved and maintained FLSA compliance following a full FLSA investigation.— target TBD; baseline being established in FY 2003
 4. Increasing compliance in industries with chronic violations.
 - a. as indicated in the garment manufacturing industry by:
 1. Increase the percentage of employees in southern California paid “on the payroll” - target TBD; baseline being established in FY 2003.
 2. Increase by 2 percent the number of manufacturers in southern California that monitor contractors (including conducting unannounced visits and payroll review).
 3. Increase by 5 percent the number of new contractors in New York City participating in the “Compliance Assistance Program for New Contractors.”
 4. Establish a baseline of the number of manufacturers in New York City that implemented a monitoring program for contractors.
 5. Increase the percent of employees in New Your City paid “on the payroll” - target TBD; baseline being established in FY 2003.
 - b. as indicated in the long-term health care industry by:
 1. Increase by 5% the percent of nursing homes in compliance with the FLSA.
 2. Increase by 2% the percent of nursing home employees employed or paid in compliance with the FLSA..
 3. Increase by 2% the number of prior nursing home violators in compliance with the FLSA.
 4. Increase by 2% the number of residential living employers in compliance with the recordkeeping requirements of the FLSA.
 - c. as indicated in agricultural commodities by:
 1. Increase by 2% compliance among agricultural employers subject to the DWHaT provisions of MSPA through targeted assistance programs.
 2. Increase the number of agricultural housing (or transportation) providers who corrected violations following an investigation. (Area of focus and percentage determined with FY 2003 results).
 3. Increase the number of agricultural housing (or transportation) who corrected violations following a first investigation. . (Area of focus and percentage determined with FY 2003 results).

\$101,266,000

<p>B. Advance safeguards for union financial integrity and democracy and the transparency of union operations by:</p> <ol style="list-style-type: none"> 1. Improving timely filing of union financial reports that contain information sufficient for public disclosure. In FY 2004: <ol style="list-style-type: none"> a. Timely filing of union annual financial reports by unions with annual receipts over \$200,000 will increase to 87%. b. The percentage of filed reports that are determined to be sufficient for public disclosure will increase to a target TBD following establishment of the baseline for this goal in FY 2003. 2. Extending Labor-Management Reporting and Disclosure Act (LMRDA) protections for union financial integrity to a greater number of labor organizations through the more effective use of investigative resources. In FY 2004, the percentage of investigative resources applied to criminal investigation that result in convictions will be increased to 55%. <p style="text-align: right;">\$30,779,000</p>

Means and Strategies

Operating Agencies: ESA

Sustained Efforts in FY 2004:

Improving Customer Service

- DOL will establish streamlined procedures where necessary to ensure early: contact with complainants, development of case facts, identification of appropriate investigative tools, and identification of potential litigation cases. (2.1A)
- DOL will establish complaint intake procedures to ensure the adequate screening of complaints, and DOL offices will conduct regular reviews of complaint inventories using established accountability measures and management reports to ensure that timeliness measures are being met. (2.1A)

Reducing Employer Recidivism

- DOL will provide compliance assistance on all applicable statutes administered by DOL during an investigation; secure agreements for future compliance and specific commitments for future compliance following a DOL intervention; and, obtain commitments for corporate-wide compliance by multi-establishment employers through formal and informal agreements following a history of DOL interventions. (2.1A)
- DOL will assess penalties, pursue litigation and prosecution, and publicize the consequences of non-compliant behavior as may be appropriate for willful and repeat violators. (2.1A)
- DOL will provide ongoing training to its investigative staff and conduct reviews according to established accountability measures to ensure that proper policies and procedures are followed during initial DOL interventions. (2.1A)

Increasing compliance in Industries with chronic violations

- DOL will conduct a directed enforcement initiative of garment contractors to determine a baseline indicator of employees paid "on the payroll" for firms that have not received outreach and compare with those firms that have received outreach. (2.1A)

- DOL will conduct face-to-face contacts with contractors in southern CA, providing them with compliance assistance and meet with known monitoring companies in southern CA to discuss and train staff in ways to detect and correct situations where workers are “off the payroll”. (2.1A)
- DOL will conduct payroll audits of newly registered contractors and will ensure that contractors producing for manufacturers that are members of NYC-Apparel Industry Compliance Partnership (AICP) will participate in the AICP’s training program. (2.1A)
- DOL will conduct a payroll audit initiative which includes informing employers of obligations to pay employees “on the books” and possible follow-up investigations. DOL will also distribute employee rights card to employees during investigations and through employee advocacy organizations, community groups, community colleges and State licensing agencies. (2.1A)
- DOL will conduct full investigations of overtime, minimum wage and child labor complaints in a timely manner with focus on obtaining long-term sustaining compliance. (This excludes last paycheck conciliations.) (2.1A)
- DOL will assess whether the Department is receiving multiple complaints against the same corporations and take appropriate intervention measures to ensure corporate-wide compliance, including being approached to participate in a compliance agreement program. (2.1A)
- DOL will conduct compliance assistance highlighting problems common in residential care and in geographic areas where violations appear more common.
- DOL will work with State licensing agencies to pilot the dissemination of compliance materials to newly licensed residential care facilities.
- DOL will develop and pilot a face-to-face consultation program for small and new residential group homes And will distribute industry-specific fact sheets on most common violations in the nursing home industry.
- DPL will provide compliance assistance training to nursing home corporations or associations entering into compliance assistance partnerships. (2.1A)
- DOL will conduct a directed enforcement initiative of residential living (group homes), including repeat violators.(2.1A)
- DOL will contact employers with prior violations who agreed to future compliance and encourage them to enter compliance partnership agreements with an emphasis on housing, transportation and child labor compliance. (2.1A)
- DOL will plan initiatives in commodities or geographic areas with high violation rates and where housing is provided and transportation is provided and child labor is likely to be present or the use of farm labor contractors is prevalent. (2.1A)
- DOL will provide compliance assistance to farm labor contractors, growers and associations through mailings, outreach events, the internet and other means. DOL will develop a farm labor contractor non-technical bulletin and distribute plain language compliance assistance information to farm labor contractor applicants who register for initial certificates of registration. (2.1A)
- DOL will continue the operational development of the Technology for Excellent Customer Service (TECS) systems that will provide nationwide toll-free access to: 1) promptly identify and refer calls unrelated to DOL activities to the appropriate agency; 2) answer commonly asked questions quickly

and accurately; and, 3) eventually accept employee complaints alleging violations and refer them electronically to the proper field office. (2.1A)

Advancing safeguards for union financial integrity and democracy

- DOL will investigate complaints concerning union officer elections, supervise remedial union officer elections, and conduct audits and civil and criminal investigations to enforce the LMRDA standards for union democracy and financial integrity. (2.1B)
- DOL will secure reports required from unions and others under the LMRDA and make them available for public disclosure, including public disclosure via the Internet using a searchable database of information from union financial reports (2.1B)
- DOL will continue to offer and conduct compliance assistance seminars throughout the country to explain the requirements of the Labor-Management Reporting and Disclosure Act (LMRDA). These seminars cover topics such as union reporting and recordkeeping, financial safeguards for union funds, elections of union officers, and training for union trustees on conducting audits in small unions. DOL will continue to advertise upcoming compliance assistance seminars on its website and to extend to interested organizations the opportunity to sponsor seminars in the future. (2.1B)
- DOL will foster liaison with international unions to promote voluntary compliance with LMRDA standards by affiliates and will provide compliance assistance to union officials. A program of compliance assistance contacts will be continued that targets unions scheduled to elect officers in FY 2004 whose previous elections were investigated by the Department. A program of contacts at the field office level to obtain timely reports by unions with receipts of more than \$200,000 that were delinquent in the prior year will be continued. DOL will provide outreach to union members to promote the objectives of the LMRDA. DOL will also continue a program to advise new unions and new officers about their responsibilities under the LMRDA. (2.1B)
- DOL will focus case targeting and management to promote effective use of investigative resources. DOL will allocate criminal investigative time to cases with the most prosecutive potential and, where appropriate, redirect criminal investigative resources to union compliance audits. DOL will continue a program of union compliance audits to discover and correct violations of LMRDA fiduciary safeguards. (2.1B)
- DOL will explore means to enhance union transparency, increase information available to union members, and better inform union members of their rights. (2.1B)

Significant New or Enhanced Efforts in FY 2004:

- DOL will develop and implement a wide variety of compliance assistance programs, including self-audit tools and incentive-based consultation programs in selected industries. (2.1A)
- DOL will explore and develop new strategic partnerships to facilitate the distribution of compliance assistance material including with States, community-based organizations, employer associations and others. (2.1A)
- DOL will conduct a statistically valid survey of agricultural compliance with the disclosure, wages, housing and transportation provisions of the Migrant and Seasonal Agricultural Worker Act, Fair Labor Standards Act and OSHA field sanitation standards. (2.1A)

- DOL plans to incorporate in the Internet-based public disclosure system, union trusteeship reports and reports filed by employers, consultants, union officers and employees, and surety companies under the LMRDA. (2.1B)
- As resources permit, DOL will enhance efforts to advance union financial integrity by establishing a sustained, productive program of investigative audits. This would include a viable program to audit national/international unions under the agency's International Compliance Audit Program (I-CAP). (2.1B)
- New compliance assistance and union liaison initiatives are planned to support all aspects of the LMRDA program, particularly to assist union officials with new and planned LMRDA reporting changes. New compliance assistance materials will be developed to support planned electronic reporting initiatives. (2.1B)

Cross-Cutting Programs and Issues

The Office of Small Business Programs (OSBP) serves a cross-cutting function by coordinating with ESA and other DOL enforcement agencies on customer/stakeholder feedback to resolve problems and improve agency operations.

Outcome Goal 2.2—Protect Worker Benefits

FY 2004 Performance Goals

Total Funds for This Outcome Goal (in Billions)

Fiscal Years	B idget Authority	Outlays
FY 2004	\$ 47.7	\$ 48.9
FY 2003	\$ 63.0	\$ 61.2
FY 2002	\$ 56.1	\$ 55.0
FY 2001	\$ 30.2	\$ 29.2
FY 2000	\$ 24.7	\$ 23.5
FY 1999	\$ 25.8	\$ 24.9

- A. Make timely and accurate benefit payments to unemployed workers, facilitate the reemployment of Unemployment Insurance claimants, and set up Unemployment tax accounts promptly for new employers. In Fiscal Year 2004:
- *Payment Timeliness*: 91.3 percent of all intrastate first payments will be made within 14/21 days;
 - *Payment Accuracy*: Establish for recovery at least 59% of the amount of estimated overpayments that the States detect;
 - *Facilitate Reemployment*: The reemployment rate of UI claimants will be ___% (Target to be established after completion of baseline); and
 - *Establish Tax Accounts Promptly*: 80 percent of determinations about Unemployment Insurance tax liability of new employers will be made within 90 days of the end of the first quarter they become liable for the tax.
- \$2,689,610,000
- B. Enhance Pension and Health Benefit Security (Indices of Success):
- Enforcement:
- Employee benefits: Achieve greater than 50% ratio of closed civil cases with corrected violations to civil closed cases.
 - Employee benefits: Achieve greater than 25% ratio of criminal cases referred for prosecution to total criminal cases.
- Participant Assistance:
- Achieve a Customer Satisfaction Index of 59, or comparable measurement, for participants and beneficiaries who have contacted EBSA for assistance.
- \$128,605,000
- C. Minimize the human, social, and financial impact of work-related injuries for workers and their families. In FY 2004:
1. For FECA cases of the United States Postal Service, reduce the lost production days rate (LPD per 100 employees) by 2 percent from the FY 2002 baseline.
 2. For FECA cases of All Other Governmental Agencies, reduce the lost production days rate (LPD per 100 employees) by 4 percent from the FY 2001 baseline.
 3. Increase FECA Vocational Rehabilitation placements with new employers for injured USPS employees by 15 percent over FY 2002.
 4. Through use of Periodic Roll Management, produce \$38 million in cumulative (FY 2003-FY 2004) first-year savings in the FECA program.
 5. The trend in the indexed cost per case of FECA cases receiving medical treatment will remain below the comparable measure for nationwide health care costs.

6. Improve FECA customer service performance levels. 7. Reduce by 4 percent over the FY 2002 established baseline the average time required to resolve disputed issues in Longshore and Harbor Worker's Compensation Program contested cases. 8. Increase by 6 percent over the FY 2001 established baseline the percentage of Black Lung benefit claims filed under the revised regulations for which, following an eligibility decision by the district director, there are no requests for further action from any party pending one year after receipt of the claim. 9. 77 percent of Initial Claims for benefits in the Energy Program are processed within standard timeframes. 10. 77 percent of Final Decisions in the Energy Program are processed within standard timeframes.	\$237,916,000
D. PBGC will provide <i>accurate</i> and <i>timely</i> payments to the beneficiaries and businesses it serves, including (1) reducing to 2.9 years the average timeframe to send benefit determinations to participants in defined benefit pension plans taken over by PBGC; (2) minimizing the number of erroneous benefit payments; (3) refunding pension insurance premium overpayments to businesses within ninety days of a request.	\$228,772,000

Means and Strategies

Operating Agencies: ETA, ESA, EBSA, PBGC

Sustained Efforts in FY 2004:

- To help raise overall first payment timeliness and new status determination timeliness, DOL will initially ensure that the State Quality Service Plans of States with performance below the established minimum criteria (87% for payment timeliness, 60% for new status determination timeliness) have the mandatory corrective action plans to raise performance at least to the criterion level. DOL will also especially urge all other States that are above the minimum levels, but below the Government Performance and Results Act targets, to develop plans to improve the speed of handling benefit claims or new status liability determinations, without compromising the accuracy of determinations. (2.2A)
- DOL will provide the system with quarterly reports on State payment timeliness and State employer tax liability determination timeliness so that progress can be monitored and problems can be addressed immediately. (2.2A)
- DOL will continue to support cross cutting activities pertaining to coordinated compliance assistance for small businesses and One-Stop Career Centers for education and outreach. (2.2B)
- DOL will continue to target and investigate pension, health care and other plan violations where participants are most susceptible to actual loss of benefits, or "populations" of plan participants who are potentially exposed to the greatest risk of falling victim to unlawful conduct. The Solicitor will continue to support EBSA's enforcement efforts by pursuing litigation to remove bad actors and to make financial recoveries on behalf of plan participants. (2.2B)

- DOL will expand its “orphan plan” project as a means for safeguarding employee benefits where fiduciaries have abdicated their responsibilities through neglect, death, bankruptcy, or incarceration (2.2B).
- In conjunction with the many private and public partners, continue educating employees, employers, and third party administrators about the health benefit laws via the Department’s national Health Benefits Education Campaign. (2.2B)
- Via the Department’s Benefit Advisors, conduct grassroots outreach to plan sponsors by proactively seeking out local organizations and events to distribute printed compliance assistance material and provide technical assistance (2.2B)
- DOL continues to enforce the health care provisions in the Employee Retirement and Income Security Act (ERISA) to ensure there is compliance with the new health care laws. The Department continues a nationwide enforcement project to conduct investigations of health plans to ensure that workers and their families are not unjustly denied any protections provided under the new health care provisions. (2.2B)
- DOL will expand its outreach efforts to: 1) raise public awareness about where to seek assistance about their rights; 2) educate workers and their employers about health and pension plans. (2.2B)
- DOL will enhance its efforts to provide individual technical assistance to workers who have questions about their health and pension benefits or need assistance in obtaining those benefits; and provide information to employers and plan sponsors about their responsibilities under the various laws. An informed and knowledgeable customer (worker or business) is an asset to ensuring compliance with the laws and will positively impact our efforts at recovering benefits for participants. (2.2B)
- DOL will develop and refine compliance guides for the public and the Department’s customer service staff to assist them in handling inquiries and ensure that American workers and their families receive the important protections afforded under the numerous enacted health care laws. (2.2B)
- DOL’s Quality Case Management strategy employs creative methods and services to assist the recovery and return to work of Federal employees who suffer job-related injuries and illnesses, including early case management by nurses who coordinate medical treatment and reemployment. Further, the non-adversarial nature of the Federal Employees’ Compensation Act (FECA) program allows the ESA to work with Federal agencies and employee unions to facilitate the return to work process. (2.2C)
- DOL will facilitate returns to work through better oversight of medical treatment:
 - ♦ Continue the Quality Case Management Program, in which new injury cases receive early intervention from nurses allowing case management to begin at a point when it can be much more effective.
 - ♦ Actively manage disability cases in the early Continuation of Pay (COP) period.
 - ♦ Improve access to expert medical evaluation.
 - ♦ Communicate more effectively with medical providers, through better technology and interaction between treating physicians and nurse case managers.
 - ♦ Screen cases for appropriateness of medical and pharmacological treatment, identifying outliers for directed review. (2.2C)

- DOL will make appropriate changes based on recommendations stemming from the FY 2002 evaluation study of FECA's Early Nurse Intervention program. The study's objective is to evaluate the Nurse program's support of FECA's Quality Case Management and return-to-work goals. (2.2C)
- DOL will implement recommendations from the FY 2003 evaluation of the FECA program's disability management and wage loss benefit payment. (2.2C)
- Through OWCP's work with OSHA, ESA will assist Federal agencies to reduce injuries, improve timely filing of injury reports, and assist injured workers to obtain benefits and return to work. Specific actions include conducting periodic conferences, technical assistance or informational meetings with the agencies, expanding electronic filing of claims documents, and widening access to OWCP case data and other program information through the Internet and other means. (2.2C)
 - DOL will continue to provide public recognition of Federal agency performance to encourage them to reduce Lost Production Days and improve the timeliness of filing Notices of Injury. (2.2C)
 - DOL will continue to identify and adopt new techniques and resources for placing Federal injured employees with new employers. (2.2C)
 - DOL will increase efficiency and productivity of the rehabilitation program by better oversight and direction of rehabilitation contractors. (2.2C)
 - Using the FECA future benefit liability model developed in FY 1999, ESA will share forecasting information with Federal employing agencies to make them more aware of their projected FECA costs and encourage them to reduce lost production days. (2.2C)
 - DOL will continue to improve mail intake and document imaging processes and paperless operations. (2.2C)
 - DOL will continue to improve customer services, gauge customer needs, and measure customer satisfaction in the FECA program by:
 - ♦ Reviewing and making appropriate changes based on recommendations of an outside consultant on industry best practices;
 - ♦ Standardizing call-handling across district offices, using the new installed equipment and software base;
 - ♦ Holding focus groups with Federal agency representatives to assess agency needs for OWCP assistance and improve the quality of assistance provided;
 - ♦ Conducting a call-back survey of claimant callers to district offices, and developing other surveys for various customer groups;
 - ♦ Measuring district office performance against nationwide standards to ensure a high level of caller access to telephone services, prompt and accurate responses, professional handling, and high quality. (2.2C)
 - DOL will continue to improve automated data processing tools to support the timeliness and quality of Federal employee compensation case handling, case management, and return to work. (2.2C)
 - DOL will seek to improve financial performance and ensure proper medical care for injured workers by outsourcing medical bill processing, including developing improved processing of Prior Authorizations before surgery and other medical procedures and development of Medical Utilization

Review (UR). Through UR, FECA will monitor the level and appropriateness of medical services as related to medical condition. (2.2C)

- DOL will continue to improve fiscal integrity by using fee schedules to reduce medical, pharmacy and hospital service costs under FECA. (2.2C)
- The Periodic Roll Management system will continue to review long-term cases on the disability roll and reevaluate case status for change in medical condition and potential for return to work. (2.2C)
- DOL will continue to use mediation skills, outreach, and other communication tools to work closely with parties to contested cases under the Longshore program as a means for expediting resolution of disputed issues in those cases. (2.2C)
- DOL will continue to use outreach and technical assistance activities with all Black Lung program stakeholder communities to promote an atmosphere of understanding and constructive cooperation in support of fewer challenges to program adjudication decisions. ESA will also work with Black Lung's authorized diagnostic provider community to emphasize the need for complete and accurate medical reports that satisfy program requirements and further support fewer challenges to program adjudication decisions. (2.2C)
- DOL will develop new and improved ADP tools, such as an on-line quality control check list, to support the timeliness and quality of Energy Employees Illness Compensation Program Act (EEOICPA) decisions, benefit delivery, and case management. (2.2C)
- PBGC will assume responsibility for under-funded defined benefit pension plans where necessary to ensure that participants' pension benefits are continuously provided. About 3,300 trustee plans (with approximately 1,000,000 participants) will be under PBGC's management in FY 2004. The unexpected upsurge in the number of participants for whose pension benefits PBGC assumes responsibility (i.e., 180,000 in FY 2002 vs. 50,000 projected when the original budget was formulated) led PBGC to re-examine this performance goal and commit to reducing the time to issue benefit determinations by 40 percent by FY 2008. To achieve this reduction in the face of the unprecedented high volume of new participants, PBGC has developed new strategies to accelerate the benefits determination process. Among those strategies are issuance of "early" benefit decisions to participants (those issued before all plan audits are completed) in a higher percentage of new cases, targeting completion of recovery valuations for 18 months after trusteeship (instead of 24 months) and development and implementation of a reengineered plan valuation process and automated system. Because PBGC has eliminated the backlog of older cases, these non-legislative changes have a greater impact on the average processing speed. Legislation to permanently simplify the valuation process and allow acceleration of processing to 2.5 years or less is still under consideration. (2.2D)
- PBGC will continue to address participant expectations by continuing to improve the process by which participants are informed of their benefits due, and to assure that benefits paid are accurate. (2.2D)

Significant New or Enhanced Efforts in FY 2004:

- DOL will work with States to improve benefit payment accuracy and reemployment by working against targets for payment accuracy and entered employment established in FY 2003. States will have guidance on the extent and nature of erroneous denials from denied claim accuracy data (a part of the Benefit Accuracy Measurement – BAM – system.) DOL will also provide States with

additional analytical BAM data on the nature and cause of overpayments to assist them in crafting better front-end procedures for preventing overpayments. (2.2A)

- States received \$8 billion in Reed Act funds in FY 2002. An FY 2002 directive stressed the need for States to devote some of these funds to Unemployment Insurance integrity activities. (2.2A)
- State implementation of automated systems to verify claimants' alien status and real-time data exchanges between Unemployment Insurance agencies and Social Security by mid-late 2003 will allow more efficient and thorough detection of ineligible aliens and persons misusing Social Security numbers. (2.2A)
- All States should be using the State Directory of New Hires intensively, and it is expected that Federal legislation will also give them access to the National Directory of New Hires (NDHS). Use of new hires data may raise BAM overpayment estimates by allowing the Benefit Accuracy Measurement system to better detect claimants who work while claiming benefits, while also enabling States to increase recoveries by detecting such overpayments earlier than with the wage-benefit cross-match (2.2A)
- DOL will work with States to improve reemployment of UI claimants by working against targets for entered employment established by FY 2004. States will implement additional data collection to obtain entered employment data on a continuing basis and use it to guide their reemployment assistance to Unemployment Insurance claimants. (2.2A)
- DOL will dedicate resources to enhance performance in providing timely, high quality interpretive guidance and to enhance compliance assistance programs that provide pension plan information to the regulated community. (2.2B)
- DOL will enhance its website presence by improving content, design and usability and improve customer access and functionality. (2.2C)
- DOL will develop contingency plans and support for a Rapid Reaction System to respond to emergency situations requiring activation of FECA claims assistance units to the emergency sites or reestablishment of OWCP operations in the event of shutdown. (2.2C)
- PBGC will implement a reengineered plan valuation process and deploy an automated benefit calculation system (Ariel) that will speed final benefit determinations and benefit estimates to participants, and improve the accuracy of the benefit calculation process. (2.2D)
- PBGC has developed a system of tighter management controls and reports that will enable it to achieve the 2004 goal for premium refunds. In addition, PBGC will develop and test a redesigned premium accounting system to provide accurate and timely financial information and support a shorter year-end closing cycle. This will further the President's Management Agenda goal of improved financial performance. The new premium system, to be implemented in FY 2005, will support more accurate processing of premium payments and premium refunds, and compliment on-line premium filing. (2.2D)
- PBGC will implement and continue to enhance on-line self-service centers for participants and pension practitioners via www.pbgc.gov. These on-line self-service centers will provide authenticated users with the ability to conduct corporate electronic business transactions and view their individual

account information, resulting in faster and more accurate delivery of benefit calculations and benefit payments. (2.2D)

Cross-Cutting Programs and Issues

DOL will work to see that state Unemployment Insurance agencies coordinate with other elements of the Workforce Development System so that Unemployment Insurance claimants receive the fullest possible reemployment assistance.

To fulfill the Department's employee benefit plan responsibilities, EBSA works with HHS, Treasury, the National Economic Council, the Bureau of Census, BLS, the Thrift Savings Board, the Solicitor's Office, and the Small Business Administration (SBA). EBSA has established a Federal-State-local partnership to help employee benefit plan participants who are at risk, (e.g., dislocated workers) understand not only their rights, but also how their employment status may affect their pension and health benefits.

In addition, EBSA and SOL coordinate enforcement, policy, regulatory, and public information programs with numerous Federal, State, and local entities in carrying out the Department's ERISA and Federal Employee Retirement Security Act responsibilities. Under ERISA, DOL/EBSA shares enforcement responsibilities with the Treasury Department, the IRS, and DOL's Pension Benefit Guaranty Corporation (PBGC). Cooperation with these agencies promotes increased benefit coverage by minimizing regulatory and administrative burdens, to the extent appropriate, with respect to ERISA's statutory and regulatory requirements.

Additionally, DOL/EBSA often coordinates enforcement actions with financial institution regulatory agencies, such as the Comptroller of the Currency, the Federal Reserve System, the Federal Deposit Insurance Corporation, the National Credit Union Administration, the Securities and Exchange Commission, State insurance and financial regulatory entities, as well as with the enforcement agencies such as DOL's Office of Inspector General, the FBI, US Postal Service, and State and local law enforcement agencies.

DOL/ESA/OWCP's Federal Employees' Compensation Act (FECA) program involves every Federal agency in the filing and management of injury compensation claims, providing services to injured workers, and assisting in the effective administration of the FECA program. For example, the FECA program coordinates with the Office of Personnel Management on matters of benefit elections, and in some specialized claims, with State and local police agencies on matters of entitlement and benefits. Federal agencies that undertake special initiatives related to management of their injured employees' claims work closely with FECA program offices at the national and regional levels to evaluate best practices. Other efforts improve communication and cooperation to reduce lost productivity due to workplace injuries. FECA's Agency Query System gives agencies secure, on-line access to information on their employees' FECA claims, enabling them to provide better service to their injured employees and assist in FECA claims processing and case management. In new injury cases, the Department assigns nurses to coordinate among injured workers, agencies, and medical providers to resolve issues and facilitate recovery and return to work. DOL/ESA/OWCP is working with all Federal agencies to improve timeliness of injury notices and claims submissions – in part through expansion of electronic filing – and to increase re-employment opportunities. OWCP has established ongoing measures of agency performance, which are posted on the Internet.

DOL's OWCP and OSHA work with Federal agencies to reduce new workplace accident/illness rates, speed the timeliness of reporting new injuries to the Department of Labor, and reduce lost production days rates. OWCP works with Federal agencies by intervening in lost time cases, providing case management, and tracking disability time lost during the Continuation of Pay period immediately

following an injury. DOL measures agencies' performance on its website at <http://www.dol-esa.gov/fesii>. DOL tracks and posts detailed agency (sub-agency) performance in terms of timely injury notice submission. DOL/ESA/OWCP works in tandem with OSHA and the Office of Disability Employment Policy to help agencies reduce accidents/illnesses and speed return to work.

DOL/ESA/OWCP has primary responsibility under the Energy Employees Occupational Illness Compensation Program Act (EEOICPA). OWCP is charged with issuing compensation and medical benefits to eligible applicants, and coordinates with three other Federal agencies to ensure the successful administration of this program; the Department of Energy provides work and exposure histories relevant to claims for benefits under EEOICPA and assists workers in filing State workers' compensation claims; the Department of Health and Human Services is responsible for establishing guidelines and reconstructing the radiation dose exposure histories of certain claimants with cancer; and the Justice Department is obligated to notify uranium workers eligible for benefits under the Radiation Exposure Compensation Act that they may also be eligible for compensation under EEOICPA.

DOL/ESA/OWCP's Division of Coal Mine Workers' Compensation administers and monitors benefit payments under the Black Lung Benefits Act. The responsibility for claims under Part B of the Act was shifted from the Social Security Administration (SSA) to DOL effective February 1, 2003, by P.L. 107-275. (Prior to that date DOL had been handling most of the work associated with these claims on a reimbursable basis, under a memorandum of understanding with SSA.)